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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
ROMEO & JULIETTE LASER HAIR REMOVAL, INC.,
d/b/a ROMEO & JULIETTE HAIR REMOVAL,

Plaintiff,

-against-

08 Civ. 0442 (TPG)

ASSARA I LLC., d/b/a ASSARA LASER CENTER NYC,
ASSARA LASER and MANHATTAN LASER HAIR
REMOVAL, JAY SHUMAN a/k/a JEROME SHUMAN,
WILL SHUMAN and DR. SAM TAYER,

ECF CASE

Defendants.

-----X

**AFFIDAVITS OF SERVICE UPON
JAY SHUMAN a/k/a JEROME SHUMAN**

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE Feb. 19, 2008
NAME OF SERVER (PRINT) Stanley Feinman	TITLE NYS Lic Private Investigator

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served:
Service on Jay Shuman a/k/a Jerome Shuman

☒ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. on February 16, 2008 at 4:37 PM at 235 W. 48th St.

Apt. 29D, New York, NY 10036
Name of person with whom the summons and complaint were left: Mark Gong - male - white skin-
black hair - 36-45 years old - 5'9"-6' - 161-180 lbs

☐ Returned unexecuted:

☒ Other (specify): Service was made in the presence of two NYPD Officers
Badges #23520 and #17650

Copy of documents also mailed 1st class mail and Certified Mail Return Receipt
Requested #7007 0220 0003 9337 8537


STATEMENT OF SERVICE FEES

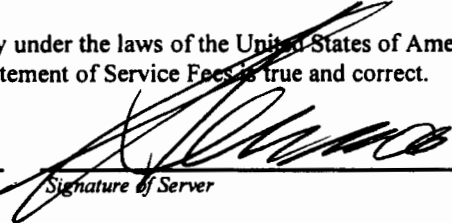
TRAVEL	SERVICES	TOTAL \$0.00
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on Feb. 19, 2008
Date


Howard M. Gallin, ESQ
Notary Public of New York
ID #02GA4885719
Qualified in Suffolk County
Comm Expires, Feb 28, 2011


Signature of Server

Roslyn, New York
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT

Southern

District of

New York

ROMEO & JULIETTE LASER HAIR REMOVAL, INC.,
d/b/a ROMEO & JULIETTE HAIR REMOVAL,

Plaintiff,

V.

ASSARA I LLC., d/b/a ASSARA LASER CENTER NYC,
ASSARA LASER and MANHATTAN LASER HAIR REMOVAL,
JAY SHUMAN a/k/a JEROME SHUMAN, WILL SHUMAN
and DR. SAM TAYER,

Defendants.

SUMMONS IN A CIVIL ACTION

CASE NUMBER: 08 CV 0442 (TPG)
ECF CASE

08 CV 0442

TO: (Name and address of Defendant)

Jay Shuman a/k/a Jerome Shuman
7 West 51st Street
2nd Floor
New York, New York 10019

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

UTLER, FITZGERALD, FIVESON & MCCARTHY, A Professional Corporation
50 Fifth Avenue, Suite 6215, New York, New York 10118
212) 615-2200

an answer to the complaint which is served on you with this summons, within _____ days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

CLERK

DATE

JAN 17 2009

(By) DEPUTY CLERK

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE Feb. 19, 2008
NAME OF SERVER (PRINT) Peter Olphie	TITLE NYS Lic Private Investigator

Check one box below to indicate appropriate method of service

- ☐ Served personally upon the defendant. Place where served:
Service on Jay Shuman a/k/a Jerome Shuman
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left:
- ☐ Returned unexecuted:

☒ Other (specify): Served Elizabeth Botte, employee of Jay Shuman a/k/a Jerome Shuman at Assara Laser. Served at 9:27 AM on Feb. 19, 2008 at 7 West 51st Street, 2nd Floor, New York, NY - female - 5'7" - 120 lbs - 25 years - Brn Hair - Wht Skin
AND mail 1st class mail and Certified Mail Return Receipt Requested #7007 0220 0003

STATEMENT OF SERVICE FEES 9337 8520

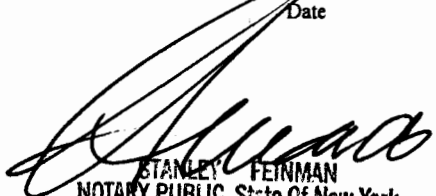
TRAVEL	SERVICES	TOTAL \$0.00
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on Feb. 19, 2008
Date


Signature of Server


STANLEY FEINMAN
NOTARY PUBLIC, State Of New York
No. 4792237
Qualified in Nassau County
Term Expires AUG 31, 2009

Roslyn, NY
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT

Southern

District of

New York

ROMEO & JULIETTE LASER HAIR REMOVAL, INC.,
d/b/a ROMEO & JULIETTE HAIR REMOVAL,

Plaintiff,

V.

ASSARA I LLC., d/b/a ASSARA LASER CENTER NYC,
ASSARA LASER and MANHATTAN LASER HAIR REMOVAL,
JAY SHUMAN a/k/a JEROME SHUMAN, WILL SHUMAN
and DR. SAM TAYER,

Defendants.

SUMMONS IN A CIVIL ACTION

CASE NUMBER: 08 CV 0442 (TPG)
ECF CASE

08

CV

0442

TO: (Name and address of Defendant)

Jay Shuman a/k/a Jerome Shuman
7 West 51st Street
2nd Floor
New York, New York 10019

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

UTLER, FITZGERALD, FIVESON & MCCARTHY, A Professional Corporation
50 Fifth Avenue, Suite 6215, New York, New York 10118
212) 615-2200

an answer to the complaint which is served on you with this summons, within _____ days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

CLERK

DATE

JAN 17 2009

(By) DEPUTY CLERK

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Index No. 08-CV-0442

ROMEO & JULIETTE LASER HAIR REMOVAL, INC.,
d/b/a ROMEO & JULIETTE HAIR REMOVAL

ECF Case

Plaintiff(s) Petitioner(s)

Calendar No.

against
ASSARA I LLC., d/b/a ASSARA LASER CENTER NYC, ASSARA LASER
and MANHATTAN LASER HAIR REMOVAL, ET AL.

Defendant(s) Respondent(s)

AFFIDAVIT
OF
SERVICE

being sworn

Nassau COUNTY, NEW YORK STATE: Peter Olphie
Deponent is not a party herein, is over 18 years of age and resides at Roslyn, NY
on Feb. 19, 2008 at 9:27 A.M. at Assara Laser, 2nd Fl., 7 W 51st St., NY, NY

Deponent served the within ☐ summons ☐ with notice ☐ summons, Spanish summons and complaint, the language required by NYCR
☐ summons and complaint 2900.2(e), (f) & (h) was set forth on the face of the summons(es)
☐ notice of petition and petition ☐ citation
☐ subpoena ☐ subpoena duces tecum ☒ Summons in a Civil Action, Complaint, Letter as

per 3rd Amended Instructions for filing with
attachments ☒ defendant (hereinafter

☐ respondent called therein named
☐ witness the recipient)

on Jay Shuman a/k/a Jerome Shuman

INDIVIDUAL by delivering a true copy of each to said recipient personally; deponent knew the person so served to be the person described as said
1. ☐ recipient therein.

CORPORATION a corporation, by delivering thereat a true copy of each to
2. ☐ personally, deponent knew said corporation so served to be the corporation, described in same as said recipient and knew said individual to be
thereof

SUITABLE AGE PERSON by delivering thereat a true copy of each to Elizabeth Botte, employee at Assara a person of suitable
3. ☒ age and discretion. Said premises is recipient's ☒ actual place of business ☐ dwelling place ☐ usual place of abode within the state.

AFFIXING TO DOOR, ETC. by affixing a true copy of each to the door of said premises, which is recipient's ☐ actual place of business ☐ dwelling place ☐ usual place of
4. ☐ abode within the state. Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, thereat, having called there

Deponent talked to at said premises who stated that recipient ☐ lived ☐ worked there.

MAILING TO RESIDENCE USE WITH 3 OR 4 Deponent enclosed a copy of same in a postpaid envelope properly addressed to recipient at recipient's last known residence, at
5A. ☐ and deposited said envelope in an official depository under exclusive care and custody of the U.S. Postal Service within New York State.

MAILING TO BUSINESS USE WITH 3 OR 4 Deponent enclosed a copy of same in a first class postpaid envelope properly addressed to defendant at defendant's actual place of business, at
5B. ☒ Jay Shuman a/k/a Jerome Shuman c/o Assara, 7 W. 51st., 2nd Fl. NY, NY 10019 in an official depository
under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and
did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the
defendant. Also mailed certified mail return receipt requested #7007 0220 0003
9337 8520

DESCRIPTION	<input type="checkbox"/> Male	<input checked="" type="checkbox"/> White Skin	<input type="checkbox"/> Black Hair	<input type="checkbox"/> White Hair	<input type="checkbox"/> 14-20 Yrs.	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lbs.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Female	<input type="checkbox"/> Black Skin	<input checked="" type="checkbox"/> Brown Hair	<input type="checkbox"/> Balding	<input checked="" type="checkbox"/> 21-35 Yrs.	<input type="checkbox"/> 5'0"-5'3"	<input checked="" type="checkbox"/> 100-130 Lbs.
		<input type="checkbox"/> Yellow Skin	<input type="checkbox"/> Blonde Hair	<input type="checkbox"/> Mustache	<input type="checkbox"/> 36-50 Yrs.	<input checked="" type="checkbox"/> 5'4"-5'8"	<input type="checkbox"/> 131-160 Lbs.
		<input type="checkbox"/> Brown Skin	<input type="checkbox"/> Gray Hair	<input type="checkbox"/> Beard	<input type="checkbox"/> 51-65 Yrs.	<input type="checkbox"/> 5'9"-6'0"	<input type="checkbox"/> 161-200 Lbs.
		<input type="checkbox"/> Red Skin	<input type="checkbox"/> Red Hair	<input type="checkbox"/> Glasses	<input type="checkbox"/> Over 65 Yrs.	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 Lbs.

Other identifying features:

WITNESS FEES \$ the authorizing traveling expenses and one days' witness fee: ☐ was paid (tendered) to the recipient
☐ was mailed to the witness with subpoena copy.

MILITARY SERVICE ☒ I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity whatever
and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my
belief are the conversations and observations above narrated.
Upon information and belief I say that the recipient is not in military service of New York State or of the United States as that term is defined in either
the State or in the Federal statutes.

Born to before me on
Feb. 19, 2008

STANLEY L. FEINMAN
NOTARY PUBLIC, State Of New York
No. 4792237
Qualified in Nassau County
Term Expires AUG 31 2008

Peter Olphie
Peter Olphie

ROMEO & JULIETTE LASER HAIR REMOVAL, INC.,
d/b/a ROMEO & JULIETTE HAIR REMOVAL

ECF Case

Plaintiff(s) Petitioner(s)

Calendar No.

against
ASSARA I LLC., d/b/a ASSARA LASER CENTER NYC, ASSARA LASER
and MANHATTAN LASER HAIR REMOVAL, ET AL.

Defendant(s) Respondent(s)

**AFFIDAVIT
OF
SERVICE**

being sworn,

Nassau COUNTY, NEW YORK STATE: Stanley Feinman

Deponent is not a party herein, is over 18 years of age and resides at Roslyn, New York

On Feb. 16, 2008 ☒ at 4:37 P.M., at 235 West 48th Street, New York, NY Apartment 29D

Deponent served the within ☐ summons ☐ with notice

☐ summons and complaint

☐ notice of petition and petition

☐ subpoena ☐ subpoena duces tecum

☐ summons, Spanish summons and complaint, the language required by NYCRR
2900.2(e), (f) & (h) was set forth on the face of the summons(es)

☐ citation

☒ Summons in a Civil Action, Complaint, Letter as
per 3rd Amended Instructions for filing with
attachments

☒ defendant (hereinafter

☐ respondent called therein named

☐ witness the recipient)

Don Jay Shuman a/k/a Jerome Shuman

INDIVIDUAL

1. ☐

by delivering a true copy of each to said recipient personally; deponent knew the person so served to be the person described as said
recipient therein.

CORPORATION

2. ☐

a corporation, by delivering thereat a true copy of each to
personally, deponent knew said corporation so served to be the corporation, described in same as said recipient and knew said individual to be
thereof

SUITABLE
AGE PERSON

3. ☒

by delivering thereat a true copy of each to Mark Gong a person of suitable
age and discretion. Said premises is recipient's ☐ actual place of business ☒ dwelling place ☐ usual place of abode within the state.

AFFIXING TO
DOOR, ETC.

4. ☐

by affixing a true copy of each to the door of said premises, which is recipient's ☐ actual place of business ☐ dwelling place ☐ usual place of
abode within the state. Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, thereat, having called there

Deponent talked to at said premises who stated that recipient ☐ lived ☐ worked there.

MAILING TO
RESIDENCE
USE WITH 3 OR 4

5A. ☒

Deponent enclosed a copy of same in a postpaid envelope properly addressed to recipient at recipient's last known residence, at
235 W. 48th St., New York, NY 10036 - Apt 29D and deposited said envelope in an

official depository under exclusive care and custody of the U.S. Postal Service within New York State. Mailed 1st Class and
Certified Mail, Return Receipt Requested.

MAILING TO
BUSINESS
USE WITH 3 OR 4

5B. ☐

Deponent enclosed a copy of same in a first class postpaid envelope properly addressed to defendant at defendant's actual place of business, at
in an official depository
under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and
did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the
defendant.

DESCRIPTION

☒

☒ Male

☐ Female

☒ White Skin

☐ Black Skin

☐ Yellow Skin

☐ Brown Skin

☐ Red Skin

☒ Black Hair

☐ Brown Hair

☐ Blonde Hair

☐ Gray Hair

☐ Red Hair

☐ White Hair

☐ Balding

☐ Mustache

☐ Beard

☐ Glasses

☐ 14-20 Yrs.

☐ 21-35 Yrs.

☒ 36-50 Yrs.

☐ 51-65 Yrs.

☐ Over 65 Yrs.

☐ Under 5'

☐ 5'0"-5'3"

☐ 5'4"-5'8"

☒ 5'9"-6'0"

☐ Over 6'

☐ Under 100 Lbs.

☐ 100-130 Lbs.

☐ 131-160 Lbs.

☒ 161-200 Lbs.

☐ Over 200 Lbs.

Other identifying features:

WITNESS
FEES

☐

\$ the authorizing traveling expenses and one days' witness fee:

☐ was paid (tendered) to the recipient

☐ was mailed to the witness with subpoena copy.

MILITARY
SERVICE

☒

I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity whatever
and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my
belief are the conversations and observations above narrated.

Upon information and belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either
the State or in the Federal statutes.

Deponent was accompanied by 2 NYPD Officers.

Badge #23520 & #17650

Howard M. Gallin, ESQ
Notary Public of New York
ID #02GA4685719
Qualified in Suffolk County
Comm Expires, Feb 28, 2011

Stanley Feinman

Sworn to before me on
Feb. 19, 2008